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IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

WRIT PETITION No. 1537 OF 2004

PETITIONER

Kalinga University, Raipur, a University established and notified under the Chhattisgarh Nizi Kshetra Vishwa Vidyalaya (Sthhapna Avam Viniyaman) Adhiniyam 2002, sponsored by Bhagwan Sri Bala Sai Baba Educational and Charitable Society through its Secretary, Badrinath Patnaik, aged about 38 years, S/o Banbas Patnaik, Q-40, Avanti Vihar, Raipur, District Raipur (Chhattisgarh)

P. R. No. 1534/04
Presented by Shri N.P. Kelay
dated 05.06.04.

Versus

RESPONDENTS

1. State of Chhattisgarh through the Secretary, Department of Higher Education, D. K. S. Bhawan, Mantralaya,Raipur (Chhattisgarh)

2. Regulatory Commission, Constituted under the Chhattisgarh Nizi Kshetra Vishwa Vidyalaya (Sthhapna Aur Viniyaman) Adhiniyam 2002 (No. 2 of 2002), C/o Secretary, Department of Higher Education, Mantralaya, D.K.S.Bhawan, Raipur (Chhattisgarh)

3. University Grants Commission, through its Chairman, Bahadur Shah Zafar Marg, New Delhi

4. All India Council of Technical Education, Indira Gandhi Sports Complex, I.P.Estate, New Delhi : 110 002

5. Medical Council of India, through its Secretary, Aiwan-E-Galib Marg, Opp. Mata Sundari College for Women, New Delhi : 110 002

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5/6/04
Clerk to A. G. Bilaspur

6. Pharmacy Council of India, Combined Councils Building, Kotla Road, Aiwan-E-Galib Marg, P.O. Box No. 7020, New Delhi : 110 002

7. National Council of Teachers Education, Indira Gandhi Indoor Stadium, I.P.Estate, New Delhi : 110 002

8. Nursing Council of India, Kotla Road, Temple Lane, New Delhi 110 002

9. Bar Council of India, 21, Institutional Area, Rouse Avenue, New Delhi - 110 002

10. Distance Education Council, through its Director, DEC Building, IGNOU Campus, Maidan Garhi, New Delhi : 110 068

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.1537/04 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

D.B: HON'BLE SHRI JUSTICE A.K.PATNAIK, C.J &
HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J.

23.09.2005

None appears for the petitioner(s).

Mr. Ravindra Agrawal, P.L. has appeared for the State of Chhattisgarh.

Mr. Agrawal states that in this writ petition the petitioner had challenged the provisions of Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana Aur Viniyaman) Sansodhan Adhiniyam, 2004 by which the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana Aur Viniyaman) Adhiniyam, 2002 was amended. By a judgment of Supreme Court in the case of *Prof. Yashpal and others v. State of Chhattisgarh and another* reported in **2005 (5) SCC 420**, the provisions of the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana) Aur Viniyaman) Adhiniyam, 2002 have been declared to be ultra vires of the Constitution and therefore this writ petition has become infructuous.

After considering the submission made by Mr. Ravindra Agrawal, we find that this writ petition has become infructuous and we accordingly dispose of the same.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

Anjani

(पीछे देखिये)